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32 **UNITED STATES BANKRUPTCY COURT**
 33 **DISTRICT OF NEVADA**

34 In re:

35 USA COMMERCIAL MORTGAGE COMPANY,
 36 USA CAPITAL REALTY ADVISORS, LLC,
 37 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 38 LLC,
 39 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 40 USA SECURITIES, LLC,

41 Debtors.

42 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11
 Jointly Administered Under Case No. BK-S-06-10725 LBR

Notice of Hearing; Partial Objection of USACM Trust To Mark Daniel Donnolo Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim; and Objection of DTDF to Proposed Allowance of Claim

Heating Date: September 28, 2007
 Hearing Time: 1:30 p.m.

NOTICE OF OBJECTION TO CLAIM

THE USACM LIQUIDATING TRUST, THE OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC, AND USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC ARE OBJECTING TO THE CLAIMS THAT YOU FILED. UNLESS THE RESPONSE DEADLINE IS ADVANCED BY THE COURT, THE DEADLINE TO RESPOND TO THE OBJECTION IS SEPTEMBER 21, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM SHOULD BE DIRECTED TO THE UNDERSIGNED COUNSEL.

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and through its counsel, has filed an Objection to your claim filed in USA Capital Realty, LLC, Case No. 06-10726 and deemed filed in USA Commercial Mortgage Company, Case No. 06-10725 by order dated 5/15/07 [DE 3734] on the ground that the claim is not a debt of USA Commercial Mortgage Company. The Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the “FTDF Committee”), by and through its counsel, has filed an Objection to any proposed allowance of your claim against the USA Capital First Trust Deed Fund, LLC (“FTDF”) estate. USA Diversified Trust Deed Fund, LLC, (“DTDF”) by and through its counsel, has filed an Objection to any proposed allowance of your claim against the DTDF estate. A copy of the joint Objection is provided to you with this notice.

The Objection requests that the Court enter an order disallowing part of your claim as to USACM, FTDF and DTDF. If the Court grants the requested relief, it will not affect your existing equity interest in the FTDF or the DTDF to the extent you hold an equity interest in FTDF and/or DTDF.



1 **NOTICE IS FURTHER GIVEN** that, unless the hearing date is advanced by the
2 Court, the hearing on the Objection will be held before the Honorable Linda B. Riegle,
3 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard
4 South, Courtroom 1, Las Vegas, Nevada, on **SEPTEMBER 28, 2007 at the hour of 1:30**
5 **p.m.** **THE HEARING WILL BE HELD FOR THE PURPOSE OF STATUS**
6 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY.** **NO**
7 **ARGUMENTS WILL BE HEARD ON THAT DATE.** **HOWEVER, IF THERE IS**
8 **NO RESPONSE TO THE OBJECTION, THE COURT MAY GRANT THE**
9 **RELIEF REQUESTED IN THE OBJECTION AND DISALLOW THE CLAIMS**
10 **FILED AGAINST USACM, FTDF AND DTDF.**

11 **NOTICE IS FURTHER GIVEN** that, unless the response deadline is advanced by
12 the Court, any response to the Objection must be filed by **September 21, 2007** pursuant to
13 Local Rule 3007(b), which states:

14 If an objection to a claim is opposed, a written response must be filed and
15 served on the objecting party at least 5 business days before the scheduled
16 hearing. A response is deemed sufficient if it states that written
17 documentation in support of the proof of claim has already been provided to
the objecting party and that the documentation will be provided at any
evidentiary hearing or trial on the matter.

18 If you object to the relief requested, you *must* file a **WRITTEN** response to
19 this pleading with the Court. You *must* also serve your written response on
the person who sent you this notice.

20 If you do not file a written response with the Court, or if you do not serve
21 your written response on the person who sent you this notice, then:

- 22 • The Court may *refuse to allow you to speak* at the scheduled hearing;
and
- 23 • The Court may *rule against you* without formally calling the matter at
the hearing.



Dated: August 28, 2007

By: /s/ Eve H. Karasik
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1 Copy of the foregoing
2 mailed this 28th day of
3 August, 2007 to:

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By /s/ Renee L. Creswell